

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ROBERTO ALVAREZ SANCHEZ,

Defendant.

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4:09CR3085

MEMORANDUM AND ORDER

The defendant originally filed a pleading attempting to assert jurisdiction under 28 U.S.C. § 2241. *See* 4:11CV3171. Subsequently, the defendant agreed that his pleading should be treated as motion pursuant to 28 U.S.C. § 2255. Pursuant to Chief Judge Smith Camp's order, that pleading was then filed in this case as a motion under 28 U.S.C. § 2255. Upon review of the motion, it is apparent that he defendant failed to sign his motion under penalty of perjury—indeed, the defendant did not sign the pleading at all. Therefore,

IT IS ORDERED that:

1. On or before March 19, 2012, the defendant shall file a motion under 28 U.S.C. § 2255 with the defendant's original signature. The motion shall indicate that the signature of the defendant was placed on the document under penalty of perjury.

2. At defendant's last known address, the Clerk shall provide the defendant with a copy of this Memorandum and Order and a copy of the original motion which appears in this case as filing no. 46.

3. The defendant is warned that if he fails to comply with this order that this matter may be dismissed with prejudice and without further notice.

4. My chambers shall call this matter to my attention on March 20, 2012.

DATED this 13th day of February, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge